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CONTENTS

	Pages
PART I	
IMPORTANT GOVERNMENT ORDERS —	
Issues Amendments to Mysore Service Regulations ...	29—31
Issues Addenda and Corrigenda to the Mysore Service Regulations	32—34
Directs that the Services of Drivers of Government Cars be treated as "Superior Service"	34
PART II—SECTION 1.	
APPOINTMENTS, POSTINGS, TRANSFERS, LEAVE, POWERS, ETC.	27—30
PART II—SECTION 2.	
NOTIFICATIONS BY HIGH COURT	
PART III—SECTION 1.	
NOTIFICATIONS BY GOVERNMENT	67—78
PART III—SECTION 2.	
NOTIFICATIONS BY HEADS OF DEPARTMENTS	177—194
PART III—SECTION 3.	
NOTIFICATIONS RELATING TO LOCAL SELF-GOVERNMENT	119—122
PART IV—SECTION 1-A.	
CENTRAL BILLS AND REPORTS OF SELECT COMMITTEES THEREON	
PART IV—SECTION 1-B.	
CENTRAL ACTS AND ORDINANCES AND ORDERS UNDER THE CONSTITUTION BY THE PRESIDENT	
PART IV—SECTION 1-C.	
RULES, ORDERS AND NOTIFICATIONS UNDER CENTRAL ACTS AND ORDINANCES	19
PART IV—SECTION 2-A.	
MYSORE BILLS AND REPORTS OF SELECT COMMITTEES THEREON	
PART IV—SECTION 2-B.	
MYSORE ACTS AND ORDINANCES AND ORDERS UNDER THE CONSTITUTION BY THE RAJPRAMUKH	
PART IV—SECTION 2-C.	
RULES, ORDERS AND NOTIFICATIONS UNDER MYSORE ACTS AND ORDINANCES	9
PART IV—SECTION 2-D.	
RULES MADE BY THE HIGH COURT OF MYSORE ...	
PART V.	
SEASON REPORT, STATEMENT OF PRICES CURRENT, ETC. ...	
PART VI.	
PUBLIC AND PRIVATE ADVERTISEMENTS	28

PART I

IMPORTANT GOVERNMENT ORDERS

FINANCIAL SECRETARIAT

Issues Amendments to Mysore Service Regulations.

READ —

Correspondence ending with U.O. No. 25/D/T.M., dated 8th January 1952, from the Accountant-General, Mysore, Bangalore, furnishing the remarks in respect of certain amendments to Mysore Service Regulations.

ORDER No. FL. (B) 6194-6274—C.R. 3-51-2, DATED BANGALORE, THE 10TH MARCH 1952.

After consideration of all aspects of the case, the amendments as noted below are issued and these will have effect from 1st April 1952:—

Article 26 (b) 3.—The following is incorporated as Rule 3A.

"Deputation (Duty) Allowances, Duty Allowance and Local Allowance granted for unhealthiness of a locality are included in the term 'emoluments' for calculating pension."

Note.—Construction Allowance is not included in the above.

The following is incorporated as Rule 7 under the same Article :—

"Local Allowance granted for the unhealthiness of a locality counts as pay for the purpose of T.A."

Note.—Construction Allowance is not included in the above.

A new Article 31A is incorporated as under :—

"*Quasi-permanent* post is a temporary post sanctioned for a period of not less than three years."

Article 54.—The following is substituted :—

Heads of Major Departments specified in Official Memorandum No. Ch.S. 896/51-9062—Mis. 122-51-1, dated 20th December 1951, are empowered to make all appointments, promotions including powers of dismissal of all Non-Gazetted staff subject to rules of recruitment that may be in force for the time being.

In respect of Heads of all other Departments, all appointments and promotions, whether permanent, temporary or officiating, to posts carrying salaries fixed at or above or progressing to or above Rs. 180 should be reported to Government for sanction. All exceptions now existing under the Article are deleted.

Article 55 Note.—The second sentence of the note is deleted.

Article 62.—Substitute the following for this Article:—

"In cases as defined in Article 64, it is admissible to appoint an officer 'provisionally'".

Articles 65-67, 68-70 and 72.—These Articles are deleted.

Articles 74 and 75.—The following is substituted for these Articles:—

"An officer with a substantive appointment on a permanent establishment officiating in a higher appointment draws initial officiating salary equal to the minimum of the higher grade unless his substantive pay is higher than the minimum in which case his initial salary in the higher appointment will be fixed at his substantive pay. If the initial salary so fixed falls between two stages of the higher appointment, it will be fixed at the next lower stage and the difference will be treated as personal allowance which will be absorbed in future increments provided that no acting allowance will be admissible unless the officiating appointment involves assumption of duties or responsibilities of greater importance than those attaching to his permanent post."

Note.—The proviso to the above Article will not apply in cases of officiating appointments from one grade to another in the same class of posts lasting for not less than three months. In such cases, the increased salary admissible under the above Article will be payable from the date of completion of three months' service in the aggregate in the higher grade.

Article 76.—The following is substituted for this Article:—

"An officer without a substantive appointment on a permanent establishment officiating in an appointment draws initial salary equal to the minimum of the officiating appointment. The rate of salary to be given in each case will be fixed by the authority competent to make the officiating appointment."

Note.—When an officer's salary is fixed below the minimum of the officiating appointment, the period for which he draws salary lower than the minimum does not count for increments.

A new article is introduced after Article 76.

Article 76A.—"After the initial salary of an officiating officer is fixed in an appointment, the drawal of increments will be regulated in accordance with the rules in force in respect of holders of substantive appointments."

Article 82. This Article is deleted.

Articles 84 and 85.—The following is substituted for these articles:—

"*Initial Pay.*—When an officer is appointed substantively to a post on progressive pay—

(*a*) (i) if he has not previously officiated in the post; or

(ii) if he has officiated in it but his present substantive pay exceeds the salary which he last drew in it,

he will draw as initial pay the pay of the stage in the progressive scale next above his present substantive pay, and will draw increments after the period usually required; and

(*b*) if he has previously officiated in the post, but his present substantive pay does not exceed the salary which he drew when last officiating, he will draw initial pay equal to that salary, and will count for increment in that stage the period during which he was drawing the said salary."

Articles 91 and 92.—The following is substituted for these Articles:—

"Government may appoint an officer to hold permanently or temporarily or to officiate in two or more appointments at the same time. The salary to be drawn for the combined charge will be fixed by Government subject to the observance of the following principles:—

(i) He draws the highest salary to which he would be entitled if he held, or, as the case may be, officiated in, any one of the appointments alone.

(ii) For the other appointment or appointments, he draws such allowances as the Government may fix, not exceeding for each appointment half the salary which he would draw if he held, or, as the case may be, officiated in it alone.

(iii) Provided that his aggregate salary shall not exceed the pay which he would draw in the most highly paid of the appointments, if he held it substantively and alone. This proviso may be dispensed with on the merits of each case, if the Government deem that the salary limited by this proviso is not enough."

Article 95.—Notes 1 and 2 under this Article are deleted.

Article 98.—Exception 3. The word "Deputy Amildar" wherever it occurs in the exception is deleted.

Article 135.—"65" occurring in line 3 is deleted.

Article 172.—A second note to the Article is added as follows :—

"Local Allowance granted for the unhealthiness of the locality may be drawn during the leave period. Local Allowance granted for other purposes may be drawn during the leave period provided there is no extra cost to Government."

Article 176.—This is deleted.

Article 210.—The following is substituted :—

"Whenever a Non-Gazetted Government servant takes furlough leave, he should be allowed to draw only his substantive pay or average salary whichever is more".

Article 232.—The following is substituted for sub-paragraphs 2, 3 and note thereunder :—

"Half the period of continuous temporary service in all the Departments will count for pension, provided such service is followed by a substantive appointment. If however the continuous temporary service prior to confirmation extends to five years or more the full period may be reckoned."

Article 237A.—A note as under is added :—

"Emoluments in a quasi-permanent post may be reckoned for pension under Article 322 (*e*) provided such emoluments have been drawn at least for a period of six months."

Article 322.—The following is substituted for clause (*e*) : —

"Pay drawn by a Government servant appointed provisionally or quasi-permanently and the acting allowances drawn by a Government servant appointed to act (1) in an office which is substantively vacant, (2) in an office temporarily vacant in consequence of the absence of the permanent incumbent on Leave Without Allowance or on transfer to foreign service, (3) in an office in the chain of arrangements consequent on (1) and (2) above."

In note (1) the words "substantively pro-tempore" is deleted.

In note (3), item No. 4 "Duty and Deputation (Duty) Allowances", is deleted.

A new clause (*f*) is added as follows : —

"Deputation (Duty) Allowances, Duty Allowance and Local Allowance granted for the unhealthiness of a locality".

Note.—Construction Allowance is not included in the above.

Article 323.—Rule 1 (*a*) occurring in line 6 and the words occurring in lines 7 to 12 as under are deleted :—

"and (*b*) that an officer will not during leave be allowed to count as emoluments the *sub-pro-tem* allowances which he would have been entitled to so count under Article 322 (*e*) had he remained on duty, if another officer has been appointed *sub-pro-tem* to the same appointment during the period of such leave.

Necessary amendments to Mysore Service Regulations will issue separately.

M. SHAMANNA,
Secretary to Government,
Finance Department.